

PUBLIC HEALTH DEPARTMENT[641]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code sections 144.3 and 144.46, the Department of Public Health hereby gives Notice of Intended Action to amend Chapter 95, “Vital Records: General Administration,” Iowa Administrative Code.

The rules in Chapter 95 describe the general administration of vital records, including definitions, fees, the handling of records, access to records, issuance of certified copies, and confidentiality.

Adopted and Filed amendments to Chapter 95 were published in the October 2, 2013, Iowa Administrative Bulletin as **ARC 1074C**, with an effective date of January 1, 2014. The Administrative Rules Review Committee voted a 70-day delay of subrule 95.6(2) at the Committee’s October 2013 meeting. This proposed amendment addresses the Committee’s concerns that precipitated the vote to delay. This proposed amendment reduces the overpayment amount to be retained by the Department to \$5 or less.

Any interested person may make written comments or suggestions on the proposed amendment on or before February 11, 2014. Such written comments should be directed to Jill France, Bureau of Health Statistics, Department of Public Health, 321 East 12th Street, Des Moines, Iowa 50319. E-mail may be sent to jill.france@idph.iowa.gov.

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement Iowa Code sections 144.46 and 144.46A.

The following amendment is proposed.

Rescind subrule 95.6(2) and adopt the following **new** subrule in lieu thereof:

95.6(2) Overpayments. Any overpayment of less than \$5 received by the state registrar for the copying of or search for vital records or for the preparation or amending of a certificate shall not be refunded and shall be retained by the department.